



## UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Daniel George Bridgwater

Serial No.: 10/076,024

Filed: February 14, 2002

Title: SWARF FLUSHING SYSTEM

Art Unit: 3722

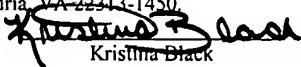
Examiner: Dana Ross

In reply to: Notice of Abandonment dated October 2, 2003

### CERTIFICATE OF MAILING

Date of Deposit with U.S. Postal Service: 4/1/04.

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Kristina Black

### ADDITIONAL SHEETS CONTAINING STATEMENTS ESTABLISHING UNINTENTIONAL DELAY

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. This case was filed on behalf of Cincinnati Machine UK Ltd. (Applicant) by its attorney Daniel C. Stelter (Stelter) on February 14, 2002.
2. Cincinnati Machine UK Ltd. is a wholly owned subsidiary of UNOVA, Inc. (UNOVA) and Stelter was a full time employee of UNOVA.
3. A First Office Action was issued in this case on March 24, 2003.
4. For the reasons that are unknown to the undersigned attorney Brian L. Ribando (Ribando), Stelter did not reply to the First Office Action and a Notice of Abandonment was mailed in this case on October 2, 2003.
5. Applicant did not intend to abandon this case.
6. In the intervening time, effective December 31, 2003, Stelter has left the employment of UNOVA and Stelter's entire patent and trademark docket has been assigned to the Undersigned who now represents Applicant before the United States Patent and Trademark Office.

7. Stelter as Applicant's attorney maintained an office in the Cincinnati, Ohio area and Ribando maintains an office in the Detroit, Michigan area.
8. Stelter's patent and trademark docket was shipped from Stelter's office to Ribando's office and comprises the contents of three file cabinets of files and eight banker's boxes of files.
9. Due to the volume and size of Stelter's patent and trademark docket, Ribando became aware of the Abandoned status of this case on Monday, January 26, 2004.
10. Ribando advised Applicant of the abandoned status of this case on January 28, 2004, and Applicant advised Ribando of the desire to revive this case on February 5, 2004.
11. Because of a heavy workload and the need to prepare a response to the Office Action of March 24, 2003, in which all claims in this application were rejected on the basis of prior art, Ribando began working on Amendment for this application on March 26, 2004.
12. Attorney for Applicant Ribando now files the attached Response to the First Office Action of March 24, 2003 and a PETITION FOR REVIVAL OF AN APPLICATION FOR A PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. 1.137(b), and states that the entire delay was unintentional for the facts set forth herein.

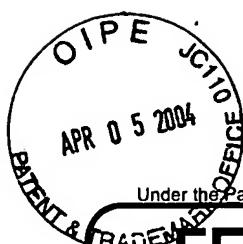
Respectfully submitted,

REISING, ETHINGTON, BARNES, KISSELLE, P.C.



Brian L. Ribando  
Registration No. 27,109  
P.O. Box 4390  
Troy, Michigan 48099  
(248) 689-3500

Date: April 1, 2004



DAE\$  
A

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1330.00)

## Complete if Known

Application Number	10/076,024
Filing Date	2/14/2002
First Named Inventor	Bridgwater
Examiner Name	Dana Ross APR 08 2004
Art Unit	3722
Attorney Docket No.	7346.0103

RECEIVED

OFFICE OF PETITIONS

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number  
Deposit Account Name

50-0852

Reising, Ethington et al

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>			1330

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			- 3** =	X	=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		

\*or number previously paid, if greater; For Reissues, see above

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	1330
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid			
<b>SUBTOTAL (3) (\$)</b>			1330

(Complete if applicable)

Name (Print/Type)	Brian L. Ribando	Registration No. (Attorney/Agent)	27,109	Telephone	248 689 3500
Signature	Brian L. Ribando			Date	4-1-04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.